

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

UNITED STATES OF AMERICA)	
)	Case No. 1:17-cr-113
v.)	
)	Judge Travis R. McDonough
ROBERT PENN)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 37) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count One of the one-count Indictment; (2) accept Defendant's guilty plea as to Count One of the one-count Indictment; (3) adjudicate Defendant guilty of knowingly possessing a firearm after having been convicted of a felony in violation of Title 18 United States Code § 922(g)(1); and (4) order that Defendant remain in custody until sentencing in this matter or further order of this Court.

Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 37) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count One of the one-count Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count One of the one-count Indictment is **ACCEPTED**;

3. Defendant is hereby **ADJUDGED** guilty of knowingly possessing a firearm after having been convicted of a felony in violation of Title 18 United States Code § 922(g)(1); and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **September 21, 2018, at 2:00 p.m.** before the undersigned, or until further order of this Court.

SO ORDERED.

/s/Travis R. McDonough

**TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE**